

1 PATRICK T. CONNOR, Bar No. 89136
2 pconnor@deconsel.com
3 YAN GERSHFELD, Bar No. 251375
4 ygershfeld@deconsel.com
5 DeCARLO, CONNOR & SHANLEY
A Professional Corporation
533 S. Fremont Avenue, 9th Floor
Los Angeles, California 90071-1706
Telephone: 213/488-4100
Telecopier: 213/488-4180

MADE JS-6

7 ATTORNEYS FOR PLAINTIFFS, CARPENTERS SOUTHWEST
8 ADMINISTRATIVE CORPORATION and BOARD OF TRUSTEES
FOR THE CARPENTERS SOUTHWEST TRUSTS

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

25 This case came for hearing on March 30, 2009 before the Honorable George
26 H. Wu, United States District Court Judge.

27 It appearing that defendants, JP DRYWALL, INC., a Nevada corporation,
28 doing business as JP DRYWALL, and also doing business as J P DRYWALL and

1 JAMES FREDERICK PAPOLA, an individual, also known as J. PAPOLA, having
 2 been regularly served with process, having failed to plead or otherwise defend this
 3 action and their default having been entered; on application of the CARPENTERS
 4 SOUTHWEST ADMINISTRATIVE CORPORATION and BOARD OF
 5 TRUSTEES FOR THE CARPENTERS SOUTHWEST TRUSTS, to the Court and
 6 after having considered the papers and arguments submitted in support thereof, and
 7 good cause appearing therefore,

8 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that
 9 CARPENTERS SOUTHWEST ADMINISTRATIVE CORPORATION and
 10 BOARD OF TRUSTEES FOR THE CARPENTERS SOUTHWEST TRUSTS
 11 have judgment as follows:

12 AS TO CARPENTERS SOUTHWEST ADMINISTRATIVE
 13 CORPORATION and BOARD OF TRUSTEES FOR THE CARPENTERS
 14 SOUTHWEST TRUSTS' FIRST CLAIM FOR RELIEF AGAINST JP
 15 DRYWALL, INC., a Nevada corporation, doing business as JP DRYWALL, and
 16 also doing business as J P DRYWALL:

17	1.	Unpaid contributions	\$40,225.27
18	2.	Interest on the unpaid contributions pursuant to 29 U.S.C.A. 1132 (g)(2) (7 percent per annum) pursuant to the Trust Agreements from the due date to billing date (April 25, 2008)	8,624.28
19	3.	Audit Fees	1,249.14
20	4.	Interest from billing date to March 30, 2009 (accruing at \$7.82 per day)	2,611.88
21	5.	Interest pursuant to 29 U.S.C.A. 1132(g)(2)(C) (double interest on contributions)	11,236.16
22	6.	Attorneys' fees pursuant to Local Rule 55-3	3,603.95
23	GRAND TOTAL		\$67,550.68
24	7.	Plus costs to be determined after entry of judgment.	
25	8.	Pursuant to 28 U.S.C. §1961(a), this judgment	

1 shall bear interest at the rate of .53% per annum.

2 AS TO CARPENTERS SOUTHWEST ADMINISTRATIVE
3 CORPORATION and BOARD OF TRUSTEES FOR THE CARPENTERS
4 SOUTHWEST TRUSTS' SECOND CLAIM FOR RELIEF FOR DEFALCATION
5 AGAINST JAMES FREDERICK PAPOLA, an individual, also known as J.
6 PAPOLA:

7	1. Unpaid contributions	\$1,809.92
8	2. Interest on the unpaid contributions pursuant 9 to 29 U.S.C.A. 1132 (g)(2) (7 percent per annum) 9 pursuant to the Trust Agreements from the due date 10 to March 30, 2009 (accruing at \$0.35 per day)	116.90
11	3. Attorneys' fees pursuant to Local Rule 55-3	392.68
12	GRAND TOTAL	\$2,319.50
13	4. Plus costs to be determined after entry of judgment.	
14	5. Pursuant to 28 U.S.C. §1961(a), this judgment shall bear interest at the rate of .53% per annum.	

16 AS TO CARPENTERS SOUTHWEST ADMINISTRATIVE
17 CORPORATION and BOARD OF TRUSTEES FOR THE CARPENTERS
18 SOUTHWEST TRUSTS' THIRD CLAIM FOR RELIEF AGAINST JP
19 DRYWALL, INC., a Nevada corporation, doing business as JP DRYWALL, and
20 also doing business as J P DRYWALL:

21 1. For issuance of a permanent injunction restraining and enjoining JP
22 DRYWALL, INC., a Nevada corporation, doing business as JP DRYWALL, and
23 also doing business as J P DRYWALL, ("CORPORATION"), for so long as it
24 remains bound to make any payments or contributions to the PLANS, from failing
25 to deliver or cause to be delivered to CARPENTERS SOUTHWEST
26 ADMINISTRATIVE CORPORATION, the following:

27 a. Complete, truthful and accurate Employers Monthly Reports to
28 Trustees for the period January 2007 through the present,

1 b. A complete, truthful and accurate Employers Monthly Report to
2 Trustees covering all employees of CORPORATION, employed during the
3 previous month under the AGREEMENT,

4 c. A declaration from a responsible employee of
5 CORPORATION, attesting from his or her personal knowledge under penalties of
6 perjury to the completeness, truthfulness and accuracy for CORPORATION's
7 Monthly Report; and

8 d. Checks for the full amount shown as owing to each Trust on
9 CORPORATION's Monthly Report, payable as designated on the Monthly Report.

10
11
12 DATED: May 7, 2009



13 THE HONORABLE GEORGE H. WU
14 UNITED STATES DISTRICT JUDGE

15 Presented by,
16 DeCARLO, CONNOR & SHANLEY
17 A Professional Corporation

18 By: /s/ Yan Gerhsfeld
19 YAN GERSHFELD
20 Attorney for Plaintiffs

21
22
23
24
25
26
27
28